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PATENT **99AB173/ALBRP158US**

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Date: 3/31/06 Casey L. Martin

Casey L. Martin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	
Appellant(s): Thomas M. Keeley	Examiner: Andre D. Boyce
Serial No: 09/407,664	Art Unit: 3623
Filing Date: September 28, 1999	

Title: SYSTEM AND METHOD FOR MANAGING AND AUTHENTICATING SERVICES VIA SERVICE PRINCIPAL NAMES

Mail Stop Appeal Brief -- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

Appellant's representative submits this brief in connection with an appeal of the above-identified patent application. If any additional fees are due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [ALBRP158US].

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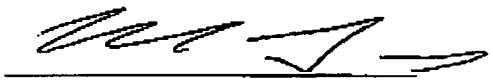
F. **Conclusion**

For at least the above reasons, the claims currently under consideration are believed to be patentable over the cited references. Accordingly, it is respectfully requested that the rejections of claims 40-47, 49-56, 58-64, 69-74 and 76-79 be reversed.

A credit card payment form is filed concurrently herewith in connection with all fees due regarding this document. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063.

Respectfully submitted,
AMIN & TUROCY, LLP



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I. Real Party in Interest (37 C.F.R. §41.37(c)(1)(i))

The real party in interest in the present appeal is Rockwell Automation Technologies, Inc., the assignee of the present application.

II. Related Appeals and Interferences (37 C.F.R. §41.37(c)(1)(ii))

Appellants, appellants' legal representative, and/or the assignee of the present application are not aware of any appeals or interferences which will directly affect, or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of Claims (37 C.F.R. §41.37(c)(1)(iii))

Claims 40-47, 49-56, 58-64, 69-74 and 76-79 are pending in the application. The rejection of claims 40-47, 49-56, 58-64, 69-74 and 76-79 is being appealed.

IV. Status of Amendments (37 C.F.R. §41.37(c)(1)(iv))

Claim amendments had been made and entered after the Final Office Action.

V. Summary of Claimed Subject Matter (37 C.F.R. §41.37(c)(1)(v))

A. Independent Claim 40

Independent claim 40 and its corresponding dependent claims relate to a factory automation system that provides status information for at least one factory automation component. (*See e.g.* Application at p. 4, lines 13-15). The system includes a factory automation component distributed by a first party where the component resides at a site location of a second party. (*See e.g.* Application at p. 4, lines 15-17). The component periodically communicates status information directly to the first party, wherein the first party compiles the status information from the component and utilizes the status information to the benefit of the second party. (*See e.g.* Application at p. 4, lines 17-20). The status information comprises component source information, first party site address information, component type information, second party site information and component health information. The server site of the first party communicates version

upgrade information to the component in response to version information from the component that does not correspond to a latest version.

B. Independent Claim 50

Independent claim 50 and its corresponding dependent claims relate to an Internet business communication system. (*See e.g.* Application at p. 4, lines 21-22). The Internet business communication system includes a website employed by a vendor for receiving factory automation component status information over the Internet from a plurality of factory components residing at one or more customer sites. (*See e.g.* Application at p. 4, lines 22-25). Each component has a different IP address. (*See e.g.* Application at p. 4, lines 25-26). The website matches component information residing at the vendor's website with the IP address of the component and provides this information to the vendor. (*See e.g.* Application at p. 4, lines 26-28). The status information comprises component type information, component health information, customer name information, customer site information and component location information. The status information further includes the component version information, such that the website communicates version upgrade information to at least one of the plurality of components in response to outdated component version information.

C. Independent Claim 59

Independent claim 59 and its corresponding dependent claims relate to a method that provides status information to a vendor on at least one factory automation component sold by the vendor to at least one customer. (*See e.g.* Application at p. 4, line 29 – p. 5, line 1). The method includes: locating at least one component at a site of the at least one customer; connecting the at least one component to a network connected to a server of the vendor; communicating component status information from the at least one component directly to the server of the vendor; searching a database located on the server of the vendor for customer identification information and component location information corresponding to the status information of the at least one component; outputting the customer identification information and component status and location information to the vendor; and communicating version upgrade information from the

server to the at least one component in response to version information from the at least one component that does not correspond to the latest version. (*See e.g.* Application at p. 5, lines 1-9). The status information comprises component source address information, vendor site address information, component version information and customer site information.

D. Independent Claim 69

Independent claim 69 relates to an Internet business communication system. (*See e.g.* Application at p. 5, lines 10-11). The Internet business communication system includes means for receiving factory automated component status information directly from a factory automated component over the Internet. The status information comprises customer site information, customer name information, component type information, vendor site address, component location and component version information. The Internet business communication system also includes means for matching a factory automated component location and customer identification information with status information provided by the factory automated component over the Internet. (*See e.g.* Application at p. 5, lines 11-14). The status information includes information relating to the health of the component wherein the component is located at a site location of a customer and communicates status information to a site of a vendor. (*See e.g.* Application at p. 5, lines 14-17). The claimed system also includes means for communicating version upgrade information to the factory automated component upon a determination that component version information of the factory automated component is outdated.

E. Independent Claim 70

Independent claim 70 and its corresponding dependent claims relate to a factory automated component. (*See e.g.* Application at p. 6, lines 1-2). The factory automated component includes a processor, a memory coupled to the processor and a network interface coupled to the processor for transmitting and receiving data with at least one remote computer system. (*See e.g.* Application at p. 6, lines 2-5). The factory automated component communicates status information periodically to the at least one remote

computer system. (*See e.g.* Application at p. 6, lines 5-6). The status information comprises component version information, customer site information, customer name information, vendor site address information and component health information. The remote computer system communicates version upgrade information to the factory component in response to version information from the factory component that does not correspond to the latest version

F. **Independent Claim 74**

Independent claim 74 and its corresponding dependent claims relate to a system that monitors factory automated components located at a customer's site electronically. (*See e.g.* Application at p. 5, lines 7-9). The system includes a central server of a vendor, wherein a plurality of factory automated components are operatively coupled to the vendor server, each of the plurality of factory automated components providing status information related thereto to the vendor server. (*See e.g.* Application at p. 5, lines 9-12). The vendor server is configured to receive the status information from the plurality of different components, and match the status information to customer identification information and component location information of each of the plurality of factory automated components with undesirable status information. (*See e.g.* Application at p. 5, lines 12-16). The status information comprises component location information, customer site information, vendor site information and component source address information. The status information also includes the component's version information, such that the server can communicate to a customer that one or more components require a version update.

G. **Independent Claim 79**

Independent claim 79 and its corresponding dependent claims relate to a system for providing status information to a vendor on at least one factory automation component sold by the vendor to at least one customer. (*See e.g.* Application at p. 6, lines 25-27). The system includes means for locating at least one component at a site of at least one customer; means for connecting the at least one component to a network connected to a server of the vendor; means for communicating component status

information from the at least one component to the server of the vendor; means for searching a database located on the server of the vendor for customer identification information and component location information corresponding to the status information of the at least one component; and means for outputting the customer identification information and component status and location information to the vendor. (*See e.g.* Application at p. 6, line 27 – p. 7, line 6). The status information comprises component type information, customer site information, component version information, component source address information and vendor site address information. The system also includes means for communicating version upgrade information from the server to the at least one component to upgrade the at least one component.

VI. Grounds of Rejection to be Reviewed (37 C.F.R. §41.37(c)(1)(vi))

A. Whether claims 40-47, 49, 59, 61-64, 69-74, 76, 78 and 79 are unpatentable under 35 U.S.C. §103(a) over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) in further view of Martinez *et al.* (US 5,956,665).

B. Whether claims 50-56 and 58 are unpatentable under 35 U.S.C. §103(a) over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) and further in view of Sekizawa (US 6,430,711) and further in view of Martinez *et al.* (US 5,956,665).

C. Whether Claims 60 and 77 are unpatentable under 35 U.S.C. §103(a) over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) and further in view of Martinez *et al.* (US 5,956,665) and further in view of Sekizawa (US 6,430,711).

VII. Argument (37 C.F.R. §41.37(c)(1)(vii))

A. Rejection of Claims 40-47, 49, 59, 61-64, 69-74, 76, 78 and 79 Under 35 U.S.C. §103(a)

Claims 40-47, 49, 59, 61-64, 69-74, 76, 78 and 79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) in further view of Martinez *et al.* (US 5,956,665). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Ogushi *et al.* and Shigematsu *et al.* and Martinez *et al.*, individually and in combination, do not disclose or suggest all the claim limitations of the subject claims.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* MPEP §706.02(j).

Independent claim 40 (and similarly independent claim 74) recites *a factory automation system for providing status information on at least one factory automation component, comprising: a factory automation component distributed by a first party; the component residing at a site location of a second party; and the component communicating status information directly to the first party wherein the first party compiles the status information from the component and utilizes the status information to the benefit of the second party, the status information comprises component source information, first party site address information, component type information, second party site information and component health information;* ***wherein the server site of the first party communicates version upgrade information to the component in response to version information from the component that does not correspond to a latest version.***

Ogushi *et al.*, Shigematsu *et al.* and Martinez *et al.*, taken alone or in combination, fail to disclose or suggest such claimed aspects of the subject innovation.

The Examiner contended that Ogushi *et al.* discloses the limitations of independent claim 40, particularly *a server site of a first party that communicates version upgrade information to at least one component (i.e. the browser software allows the vendor to retrieve a new version of software)* citing a passage of this reference from col. 5, line 64 through col. 6, line 1. From this, the Examiner concluded that a combination of Ogushi *et al.*, Shigematsu *et al.* and Martinez *et al.* would disclose *a first party that communicates version upgrade information in response to version information from the component.* However, the cited passage discloses that the

> browser software of the window shown in FIG. 5 has a hyperlink function (410 to 412) which allows each worker in each department of the vendor and each operator in each factory to access detailed information of each item, retrieve a new version of the software from the software library, or retrieve an operation guide (auxiliary information) as the reference for the operator in the factory.

It is clear that this disclosure is only concerned with providing user Internet access, *via* a browser, to ***archived*** information associated with an item. There is no disclosure in this passage of *communicating version upgrade information **to the component** in response to version information **from the component** that does not correspond to a latest version,* in accordance with the claimed invention. The Examiner further cited Shigematsu *et al.* for a mere incidental disclosure of *a message transmitting unit.* But even if it were somehow motivated to cobble together these references as proposed by the Examiner, Shigematsu *et al.* fails to cure the deficiencies of Ogushi *et al.*

The Examiner further contended that Martinez *et al.* discloses the component attributes including type of device and version number, and is thereby able to detect any modification to the component *via* version number, citing col. 2, lines 59-65 of this reference. However, this passage simply discloses that *changes in the configuration of **the system** are detected,* and that ***component attributes**, such as the type of device and the version number, **for each component installed in the shelves** is monitored to detect any modification of the shelf's configuration.* It is readily apparent that this passage is dealing

simply with *obtaining updated information* on attributes of hardware components *after configuration changes have been made.* In other words, the attribute information is derived *from* the components. However, it is clear that this passage does not disclose *communicating version upgrade information to the component in response to version information from the component that does not correspond to a latest version,* as is plainly recited in claim 40. The claimed innovation is able to alert the *second party at a site location* (preferably, a customer of the first party) that another component version is available for upgrading, *before* a configuration change has been made. It is readily apparent that this is not the purpose of the Martinez *et al.* device and therefore this reference teaches away from the present invention.

Notwithstanding that the cited references do not make obvious the claimed innovation, there is no motivation or suggestion to combine the references in the manner suggested. In order to reject claims in an application pursuant to 35 U.S.C. §103, there must be some logical reason apparent from ***positive, concrete evidence*** of record, which justifies a combination of primary and secondary references. *See In re Lakowski* 871 F.2d 115; 10 U.S.P.Q.2D (BNA) 1397 (Fed. Cir. 1989) citing *In re Regel*, 526 F.2d 1399, 1403 n.6, 188 USPQ 136, 140 n.6 (CCPA 1975). A challenger to the validity of a patent cannot pick and choose among the individual elements of assorted prior art references to recreate the claimed invention; the ***challenger has the burden to show some teaching or suggestion*** in the references to support their use in the particular claimed combination. *See Smithkline Diagnostics, Inc. v. Helena Laboratories Corp.*, 859 F.2d 878, 887, 8 USPQ2d 1468, 1475 (Fed. Cir. 1988).

The Examiner contended that motivation to combine the cited references exists since

> *it would have been obvious to one of ordinary skill in the art... to explicitly include version number in Ogushi et al., as seen in Martinez et al., as an effective means of determining the most updated information relating to the plurality of industrial equipment 106 in Ogushi et al., thereby making the Ogushi et al, system more robust. (See Final Office Action (dated October 7, 2005), pages 6.)*

However, neither Ogushi *et al.* nor Martinez *et al.* (nor the incidentally-cited Shigematsu *et al.*) mention, and the Examiner had not cited the *efficient identification of machines and their corresponding problems* as motivation to combine in any of these references. Thus, the Examiner failed to meet his burden to show some teaching or suggestion in either of the cited references to support their use in the combination, as recited in the subject claims.

In addition, there is no motivation to combine Ogushi, *et al.* with Shigematsu *et al.* or Martinez *et al.*, as these references are non-analogous to Ogushi *et al.*, since they do not relate to factory automation components, as recited in the subject claims. Instead, Shigematsu *et al.* relates to a computer for monitoring other computers in a network. Martinez *et al.* relates to a system for mapping on a computer display a graphical representation of computer components in a cabinet. There is no mention of anything in Shigematsu *et al.* or Martinez *et al.* of factory automation components or the art of factory automation. Thus, since Shigematsu *et al.* and Martinez *et al.* concerned with non-analogous arts, not contemplating factory automation, there is no motivation to combine Ogushi, *et al.* with Shigematsu *et al.* and Martinez *et al.* and such a combination is improper. The mere fact that references can be modified does not render the modification obvious unless the ***cited art also suggests*** the desirability of the modification. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Moreover, nowhere do Shigematsu *et al.* or Martinez *et al.* mention the use of IP addresses in conjunction with the factory automation components disclosed in Ogushi, *et al.* Similarly, there is no mention in Ogushi, *et al.* of utilizing IP addressing with a factory automation system for communicating version upgrade information, as recited in the subject claims. It is readily apparent that the Examiner had not met the requisite burden to show proper motivation to combine Ogushi, *et al.* with Shigematsu *et al.* and Martinez *et al.* The prior art items themselves must suggest the desirability and thus the obviousness of making the combination without the slightest recourse to the teachings of the patent or application. Without such independent suggestion, the prior art is to be considered merely to be inviting unguided and speculative experimentation, which is not the standard with which obviousness is determined. *Amgen, Inc. v. Chugai Pharmaceutical Co. Ltd.*, 927 F.2d 1200, 18 USPQ2d 1016 (Fed. Cir. 1991); *In re*

Laskowski, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989); *In re Dow Chemical Co.*, 837 F.2d 469, 473, 5 USPQ2d 1529, 1532 (Fed. Cir. 1988); *Hodosh v. Block Drug*, 786 F2f at 1143 n. 5., 229 USPQ at 187 n. 4.; *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1985).

It appears the Examiner had impermissibly employed 20/20 hindsight with Appellants' specification as a roadmap to make the purported combination. The rationale proffered to modify and combine Ogushi, *et al.*, Shigematsu *et al.* and Martinez *et al.* is to achieve benefits identified in Appellants' specification, which overcome problems associated with conventional systems and/or methods. Appellants' representative respectfully submits that this is an unacceptable and improper basis for a rejection under 35 U.S.C. §103. In essence, the Examiner based the rejection on the assertion that it would have been obvious to do something not suggested in the art because so doing would provide advantages stated in Appellants' specification. This sort of rationale has been condemned by the Court of Appeals for the Federal Circuit. *See, for example, Panduit Corp. v. Dennison Manufacturing Co.*, 1 USPQ2d 1593 (Fed. Cir. 1987).

In view of at least the foregoing, it is readily apparent that there is no suggestion or motivation to combine Ogushi, *et al.*, Shigematsu *et al.* and Martinez *et al.* Even if these references were combined in the manner suggested, they would not make obvious the subject invention as recited in independent claim 40 (and similarly recited independent claim 74 and claims which respectively depend therefrom). Accordingly, this rejection should be reversed.

B. Rejection of Claims 50-56 and 58 Under 35 U.S.C. §103(a)

Claims 50-56 and 58 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) and further in view of Sekizawa (US 6,430,711) and further in view of Martinez *et al.* (US 5,956,665). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Neither Ogushi *et al.*, Shigematsu *et al.*, Sekizawa, nor Martinez *et al.* (US 5,956,665), individually or in combination, disclose or suggest all the claim limitations of the subject claims.

Independent claim 50 recites *status information that includes component version information, such that the website communicates version upgrade information* ***to at least one of the plurality of components*** *in response to outdated component version information.* As stated in the previous sections, neither Ogushi *et al.,* Shigematsu *et al.*, nor Martinez *et al.*, alone or in combination, disclose or suggest such aspects of Appellants' claimed invention. Sekizawa fails to overcome the deficiencies of Ogushi *et al.* and Shigematsu *et al.* with regard to the subject claims. Sekizawa is merely cited for disclosing *an agent unit that gets status information indicating the operation state of each network printer,* and *a network printer having a registration log file 12c, including the IP address of the printer.* The Examiner cited col. 19, lines 22-24 and col. 21, lines 9-13. However, it is readily apparent that Sekizawa fails to disclose or suggest *a website that communicates upgrade information to a component that is running an outdated version.* Also, this further combination is unmotivated in accordance with the reasons set forth above, and could at best only be arrived at from a hindsight reading of Appellant's disclosure. In view of at least the foregoing, it is readily apparent that none of the cited references, whether taken alone or in combination, make obvious independent claim 50 (and claims which depend respectively there from). Accordingly, this rejection should be reversed.

C. Rejection of Claims 60 and 77 Under 35 U.S.C. §103(a)

Claims 60 and 77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ogushi *et al.* (US 6,385,497) in view of Shigematsu *et al.* (US 5,432,715) and further in view of Martinez *et al.* (US 5,956,665) and further in view of Sekizawa (US 6,430,711). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Claims 60 and 77 depend from independent claims 59 and 74 respectively and Sekizawa fails to make up for the aforementioned deficiencies of the combination of Ogushi *et al.,* Shigematsu *et al.,* and Martinez *et al.* Sekizawa is again cited for disclosing *an agent unit that gets status information indicating the operation state of each network printer,* and *a network printer having a registration log file 12c, including the IP address of the printer.* Nonetheless, even if this further combination were somehow motivated, this thin disclosure would fail to overcome the deficiencies of the base combination, as applied to the

independent claims from which these claims depend. For at least the above-mentioned reasons, it is submitted that neither Ogushi, *et al.* Shigematsu *et al.*, nor Martinez *et al. et al.* make obvious claims 60 and 74. Accordingly, the rejection of claims 60 and 77 should be reversed.

VIII. Claims Appendix (37 C.F.R. §41.37(c)(1)(viii))

40. A factory automation system for providing status information on at least one factory automation component, comprising:

a factory automation component distributed by a first party;

the component residing at a site location of a second party; and

the component communicating status information directly to the first party wherein the first party compiles the status information from the component and utilizes the status information to the benefit of the second party, the status information comprises component source information, first party site address information, component type information, second party site information and component health information;

wherein the server site of the first party communicates version upgrade information to the component in response to version information from the component that does not correspond to a latest version.

41. The system of claim 40, wherein the status information is periodically communicated by the component directly to the first party.

42. The system of claim 40, wherein the first party is a vendor and/or service supplier of the component.

43. The system of claim 40, wherein the second party is a purchaser of the component and the site location is a factory of the purchaser where the component resides.

44. The system of claim 40, wherein the component communicates component health information to the first party from the location site of the second party.

45. The system of claim 44, wherein the health information is selected from the group consisting of a component failure, a component degradation and a component out of calibration.

46. The system of claim 44, wherein the site of the first party communicates patch information to the component in response to health information from the component.

47. The system of claim 40, wherein the component includes a self diagnosis device.

49. The system of claim 40, wherein the server site of the first party transmits a signal to the component in response to status information from the component that initiates an action by the component.

50. An Internet business communication system, including:

a website employed by a vendor for receiving factory automation component status information over the Internet directly from a plurality of factory components residing at one or more customer sites, each component having a different IP address, the website matching component information residing at the vendor's website with the IP address of the component and providing this information to the vendor, the status information comprises component type information, component health information, customer name information, customer site information and component location information;

wherein the status information further includes the component version information, such that the website communicates version upgrade information to at least one of the plurality of components in response to outdated component version information.

51. The system of claim 50, wherein the factory automation component status information is periodically received by the vendor.

52. The system of claim 50, wherein the status information includes the component's health information, such that the vendor can communicate to a customer that one of the plurality of components in the one or more customer sites require attention by the customer.

53. The system of claim 50, wherein the status information includes the component's version information, such that the website can communicate to a customer that one of the plurality of components in the one or more customer sites require a version update.

54. The system of claim 50, wherein the status information includes customer identification information, customer site information and the component location within the customer's site.

55. The system of claim 50, wherein the component information includes customer identification information, customer site information and the component location within the customer's site.

56. The system of claim 50, wherein the status information includes component health information and the website can communicate patch information to at least one of the plurality of components in response to component health information.

58. The system of claim 50, wherein the website transmits a signal to at least one of the plurality of components in response to status information from the component that initiates an action to the component.

59. A method of providing status information to a vendor on at least one factory automation component sold by the vendor to at least one customer, comprising the steps of:

locating at least one component at a site of at least one customer;

connecting the at least one component to a network connected to a server of the vendor;

communicating component status information from the at least one component directly to the server of the vendor, the status information comprises component source address information, vendor site address information, component version information and customer site information;

searching a database located on the server of the vendor for customer identification information and component location information corresponding to the status information of the at least one component;

outputting the customer identification information and component status and location information to the vendor; and

communicating version upgrade information from the server to the at least one component in response to version information from the at least one component that does not correspond to the latest version.

60. The method of claim 59, wherein the status information includes an IP address associated with the component and the step of searching includes matching the customer identification information and component location information corresponding to the IP address included in the status information.

61. The method of claim 59, further including the step of communicating a signal to the at least one component from the server in response to the component status information that initiates an action to the at least one component.

62. The method of claim 59, wherein the server determines if the at least one component has enabled the at least one component to receive communication from the server.

63. The method of claim 59, wherein the status information includes component health information of the at least one component.

64. The method of claim 63, wherein the server communicates patch information to the component in response to health information from the component.

67. A computer memory, comprising:

a periodic status message, stored in the computer memory, provided by a factory automation component, the status message including health information relating to the factory automation component, the factory automation component having an IP address.

68. The computer memory of claim 67, further comprising a vendor website which matches the IP address of the component with customer identification information and component location information.

69. An Internet business communication system, including:

means for receiving factory automated component status information directly from a factory automated component over the Internet, the status information comprises customer site information, customer name information, component type information, vendor site address, component location, and component version information;

means for matching a factory automated component location and customer identification information with status information provided by the factory automated component over the Internet, the status information including information relating to the health of the component wherein the component is located at a site location of a customer and communicates status information to a site of a vendor; and

means for communicating version upgrade information to the factory automated component upon a determination that component version information of the factory automated component is outdated.

70. A factory automated component, comprising:

a processor;

a memory coupled to the processor; and

a network interface coupled to the processor for directly transmitting and receiving data with at least one remote computer system, wherein the factory component communicates status information to the at least one remote computer system, the status information comprises component version information, customer site information, customer name information, vendor site address information and component health information, and wherein the at least one remote computer system communicates version

upgrade information to the factory component in response to version information from the factory component that does not correspond to the latest version.

71. The component of claim 70, wherein the status information is communicated periodically and includes health information related to the health of the component.

72. The component of claim 70, wherein the processor includes a self diagnosis device.

73. The component of claim 70, wherein the component includes an enabled mode for receiving communication from the at least one computer and a disabled mode blocking communication from at least one computer.

74. A system for monitoring factory automated components electronically, comprising:

a central server adapted to receive status information directly from one or more factory automated components located at one or more customer sites, the central server being located at a site of a vendor, wherein the server is configured to match component status information to customer identification information and component location information of the one or more factory automated components and output this information to the vendor, the status information comprises component location information, customer site information, vendor site information and component source address information, and wherein the status information includes the component's version information, such that the server can communicate to a customer that one or more components require a version update.

76. The system of claim 74, wherein the server transmits a signal to the one or more components *via* the at least one remote computer in response to status information from the component that initiates an action to the component.

77. The system of claim 74, wherein the server hosts a website of the vendor and the server matches the component status information with the customer identification information and component location information by using an IP address associated with the component.

78. The system of claim 74, wherein the status information includes the components health information, such that the vendor can communicate to a customer that the one or more components in the one or more customer sites require attention by the customer.

79. A system for providing status information to a vendor on at least one factory automation component sold by the vendor to at least one customer, comprising:

means locating at least one component at a site of at least one customer;

means for connecting the at least one component to a network connected to a server of the vendor;

means for communicating component status information from the at least one component directly to the server of the vendor, the status information comprises component type information, customer site information, component version information, component source address information and vendor site address information;

means for searching a database located on the server of the vendor for customer identification information and component location information corresponding to the status information of the at least one component;

means for outputting the customer identification information and component status and location information to the vendor; and

means for communicating version upgrade information from the server to the at least one component to upgrade the at least one component.

79. A system for providing status information to a vendor on at least one factory automation component sold by the vendor to at least one customer, comprising:

means locating at least one component at a site of at least one customer;

means for connecting the at least one component to a network connected to a server of the vendor;

means for communicating component status information from the at least one component directly to the server of the vendor, the status information comprises component type information, customer site information, component version information, component source address information and vendor site address information;

means for searching a database located on the server of the vendor for customer identification information and component location information corresponding to the status information of the at least one component; and

means for outputting the customer identification information and component status and location information to the vendor.

IX. Evidence Appendix (37 C.F.R. §41.37(c)(1)(ix))

None.

X. Related Proceedings Appendix (37 C.F.R. §41.37(c)(1)(x))

None.